

## **REMARKS/ARGUMENTS**

Applicants acknowledge, with thanks, receipt of the Office Action dated June 15, 2006. Applicants further thank the Examiner for the interview held September 12, 2006. The discussions therein, along with the Examiner's much appreciated observations and suggestions, are incorporated herein.

Claims 1-15, 20-30, and 34 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 5,945,577 to Stice et al. Claims 24-29 were rejected under 35 U.S.C. § 102(b) as anticipated by *Reproductive Fertility Development*, 1998 by Munsie et al. Claims 1, 30 and 34 have been amended to more accurately reflect that which the Applicants believe to be the invention. Claims 24-29 have been canceled. New claims 41-43 have been added. No new matter has been added to the subject application.

In accordance with the personal interview conducted on September 12, 2006, it is the Applicants understanding that in the view of the Examiner, Stice discloses chemical pre-treatment of oocyte prior to the introduction of a donor cell nucleus, which chemical pre-treatment represents an enucleation step. In addition, the Examiner has opined that the specific embodiments of the subject application describe methods in which there is an active removal or destruction of recipient cell nucleus or nuclear material and that no such active removal, as distinct from removal due to chemical treatment of the oocyte prior to nuclear addition, is described in or contemplated in or obvious from the cited references. Applicants respectfully disagree with the Examiner's conclusions with respect to Stice, however in view of progressing the instant application to issuance, Applicants have amended the independent claims 1, 30, and 34 in accordance with the discussion of the interview of September 12<sup>th</sup>.

Therefore, in the claim amendments submitted herewith, claims 1, 30, and 34 have been amended to clarify that the destruction or removal of recipient nuclear material is by treatment of the cell, subsequent to the introduction of the donor nuclear material. Support for the aforementioned amendment is located on page 8, lines 7-10 of the instant specification.

The remaining claims depend from independent claims 1, 30, and 34 and, for the reasons set forth above, are also patentably distinct over the art of record.

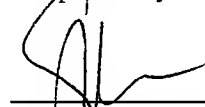
## **CONCLUSION**

Application No.: 09/980,772  
Amendment/Response dated December 4, 2006  
Response to Office action dated June 15, 2006

If there are any fees necessitated by the foregoing communication, the Commissioner is hereby authorized to charge such fees to our Deposit Account No. 50-0902, referencing our Docket No. 78870/00004.

Date: December 4, 2006

Respectfully submitted,



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